

I. INTRODUCTORY STATEMENT

Based on a thorough review of the Draft Advisory Circular and discussions at A.R.A.C. Operations Subcommittee meetings, the Allied Pilots Association believes that the Draft Advisory Circular on Controlled Rest is not consistent with the public interest.

The APA objects to the Draft Advisory Circular because: It contradicts current Federal Aviation Regulations and Aircraft Certification Standards, U. S. airline Operating procedures, and Crew Resources Management principles; and U. S. laws concerning the duty of care expected of common carriers, their agents and employees; it exceeds the stated task authority given the ARAC Working Group; and because it goes far beyond the available scientific support. The APA finds references to cockpit napping on two-pilot aircraft in any operation, and in the domestic ATC environment in any aircraft, exceptionally objectionable.

These objections are stated in the interest of protecting the flying public and ensuring that the currently prevailing standards for safety of flight are not diminished on U. S. certificated air carriers.

II. TASK AUTHORITY EXCEEDED

The following is the Task Authority granted by the FAA to the ARAC Controlled Rest Working Group, as published on October 23, 1991 in the Federal Register:

"Specifically, the working group's task is the following: To determine the feasibility of preplanned rest in the cockpit during long-range flights and, if feasible, determine the criteria for the establishment of such rest periods."

The Draft Advisory Circular does not limit cockpit napping to "long-range" flights as specified by the Task Statement. The proposed Advisory Circular states that its applications may be extended to domestic U.S. operations, very few of which are "long-range" and to two-pilot operations as well. Indeed, during the most recent meeting of the Air Carrier Operations Subcommittee, one representative stated it was his understanding that cockpit napping would apply to domestic U. S. operations of every type. He specifically mentioned bank check carriers as an example, which are characterized by short-haul flights using small aircraft. The proposed Advisory Circular encourages the development of cockpit napping procedures in a wide range of operations not included in the Task Authority.